

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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RITCHARD YANOWITZ, Civil Action No.: 15-cv-00807 (KBF)

Plaintiff,

-against- **NOTICE OF PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT**

DIVATEX HOME FASHION, INC., **ORAL ARGUMENT REQUESTED**

Defendant.

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PLEASE TAKE NOTICE that upon the (i) accompanying Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment, (ii) the Affidavit of Ritchard Yanowitz and the exhibits annexed thereto, (iii) the Statement of Undisputed Material Facts pursuant to Local Rule 56.1, and (iv) all prior pleadings and proceedings herein, Plaintiff Ritchard Yanowitz ("Plaintiff") will move the Court before the Honorable Katherine B. Forrest, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, NY 10007, at a date and time to be determined by the Court, for an order pursuant to Rule 56(a) of the Federal Rules of Civil Procedure granting summary judgment on the First and Second Counts of the Complaint against Defendant Dixatex Home Fashion, Inc. ("Defendant") and granting such further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

LAW OFFICES

**Peckar &
Abramson**

A Professional Corporation

April 9, 2015
New York, New York

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "B D Meller", with a long horizontal flourish extending to the right.

Bruce D. Meller, Esq.

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CERTIFICATE OF SERVICE

I certify that on April 9, 2015, I caused the foregoing Notice of Plaintiff's Motion for Summary Judgment, dated April 9, 2015, to be served by ECF upon the following counsel for Defendant:

Anne C. Patin, Esq.
Michael B. Weitman, Esq.
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April 9, 2015
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